

***** **UNITED STATES DISTRICT COURT** *****

NORTHERN

DISTRICT OF

NEW YORK

JUDGMENT IN A CIVIL CASE

DOCKET NO. 3:05-CV-1157 (LEK/GJD)

SALLY TOMON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

_____ **JURY VERDICT.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

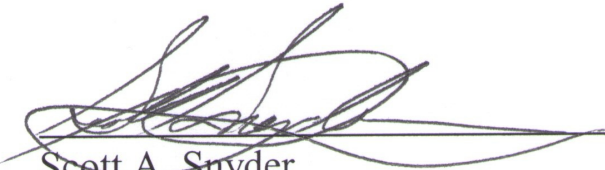
XX **DECISION by COURT.** This action came to trial or hearing before the Court. The issues have been tried and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the Report-Recommendation of the Honorable Gustave J. DiBianco, dated June 20, 2008, is **APPROVED** and **ADOPTED** in its ENTIRETY; **IT IS FURTHER ORDERED**, that in the above entitled action, the case is **DISMISSED** in favor of the Plaintiff and against the Defendant and this case is **REMANDED** to the Commissioner for further proceedings in accordance with the **DECISION AND ORDER** of the Honorable Lawrence E. Kahn, U. S. District Judge, dated August 04, 2008.

DATE: August 04, 2008

LAWRENCE K. BAERMAN

CLERK OF THE COURT


Scott A. Snyder
Courtroom Deputy to the
Honorable Lawrence E. Kahn